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SUBJECT: WILL POLAND USE ITS VETO ON THE EU CONSTITUTIONAL
TREATY?

Classified By: DCM Kenneth M. Hillas, reasons 1.4 (b) and (d)

¶1. (C) Warsaw has had a slew of EU leaders pay a visit on the eve of the June 21 EU Summit in Berlin on a constitutional convention. Last week Italian PM Prodi had brutally frank talks with the Polish President and PM. According to a senior Italian diplomat, Prodi called his meeting with PM Kaczynski the chilliest he has ever had with an EU leader, with the exception of a recent meeting with Czech President Klaus. In an effort to leverage Poland's continuing desire to give Ukraine a date for starting EU talks, Prodi reportedly warned PM Kaczynski that further EU enlargement would be off the table if a constitutional treaty did not move ahead in Berlin. According to the French Embassy, French President Sarkozy, who visits Warsaw on June 14, will appeal to PM Kaczynski to play the part of a big-state leader in limiting his demands on voting rights. French, German, and British officials remain uncertain whether Poland will use its veto or accept a last minute compromise. PM Kaczynski, who is expected to represent Poland in Berlin (although this has not officially been announced), has resurrected earlier veto threats, overruling Presidential EU advisor Marek Cichocki's efforts to play the veto question and seeming to paint Poland into a corner.

¶2. (C) German diplomats are hinting that Chancellor Merkel is working on some concessions to Poland that would enable Kaczynski to claim success even if he abandons his demand for Poland's "square root" voting system, which has no real support outside Poland. Indeed, Kaczynski told Prodi his biggest political problem would be the appearance of acquiescing to a relative increase in Germany's voting strength. But, while London, Paris, and Berlin are making progress on hammering out compromises on various issues, Poland has yet to indicate its fall-back position. There are indications they know they are isolated: advisors in PM Kaczynski's office claim that they have little confidence the Czech Republic will stand by Poland, as promised. But some diplomats doubt the cost of intransigence would be high for Poland. In the view of a senior UK diplomat, the real cost to Poland of using its veto would not be so high, as Poland would continue to benefit from the favorable Nice voting rules. But he acknowledged Poland could face efforts to marginalize it in EU bodies, as a result, reducing its influence in Brussels.

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